WRITTEN ANSWERS TO STARRED QUESTIONS

Fake encounters in J and K

*221. SHRI JANARDHANA POOJARY: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that some innocent civilians were killed in fake encounters undertaken jointly by some officials of the Indian Army and the local police in J and K;

(b) if so, the details thereof;

(c) whether a Committee has been set up to inquire into the matter;

(d) if so, the details thereof and the time-frame set for submission of the report by the Committee; and

(e) the measures proposed to be taken by Government to ensure that such fake encounters do not take place and innocent civilians are not killed?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) to (e) The State of Jammu and Kashmir is facing the menace of militancy, aided and abetted from across the border, for quite some time. To counter the militancy in the State, Army and Central Para Military Forces have been deployed to assist the State administration. Army undertakes operations against the militants based on hard intelligence. In such operations, at times firings take place, especially when the militants are armed and they use fire arms against the force or innocent public. Such encounters are unavoidable in the situation prevailing in the State. However, there are strict guidelines prescribed for the forces for honouring human rights during discharge of their duties. Dos and Don't to be foIlowed while acting under Armed Forces Special Powers Act have also been laid down by the Army. The force personnel are also sensitized from time to time to discharge their duties with a humane face and with minimum inconvenience to the public. All reported cases of a alleged human rights violations are investigated promptly by the Army and stringent punishments are awarded to those who are found guilty.

During last 3 years (2005 onwards), four cases of alleged killing of civilian personnel by the Army in fake encounter have been reported. In all these four cases, a Court of Enquiry has been instituted and a number of witnesses have been examined. In two of the cases, criminal cases have been filed against some Army personnel in the district court by the State Police.

The State Government of J and K has also appointed a Commission of Enquiry on 2nd April, 2007 to enquire into alleged fake encounters/custodial killings in the State and to give its report within six months.

In order to sensitize the troops deployed in Counter Insurgency/Counter terrorist operations, Human Rights Cells have been established at various levels. The troops are sensitized at regular intervals regarding the importance of

upholding human rights and avoiding collateral damage. Regular foundation and refresher training in human rights is also carried out.

Light helicopter deal with eurocopter

*222. SHRl AMAR SINGH:
SHRI ABU ASIM AZMI:

Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that $600 million deal of Europe's Eurocopter for supply of light helicopter to the Army is being kept on hold;

(b) if so, the reasons therefor; and

(c) by when it would be finally cleared?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) No, Sir.

(b) Does not arise.

(c) The case is processed under the Defcnce Procurement Procedure and an appropriate decision would be taken after following all the stages of procurement process. As such, no definite time limit could be given at this stage. The exact value of the procurement would be known only thereafter.

Categorisation of TV programmes

†*223. SHRI SHATRUGHAN SINHA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government are going to formulate any such rules under which the T.V. programmes would be divided into three categories and the time of their broadcasting would also be fixed;

(b) if so, the details thereof; and

(c) the purpose behind the formulation of such rules?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI PRIYARANJAN DASMUNSI): (a) to (c) With a view to give them greater specificity and details and introduce new provisions as found necessary as per contemporary community standards and to facilitate self-regulation among TV channels, a Committee has been constituted for reviewing Programme and Advertising Codes prescribed under the Cable TV Networks (Regulation) Act, 1995 and rules framed thereunder and the guidelines for certification of films prescribed under the Cinematograph Act 1952 and drafting a new Content Code. This Committee, *inter alia*, consists of representatives of Broadcasting organizations, Civil society groups and consumer forum. The Committee has prepared a draft Content Code which includes such proposals and has been posted on the website of the Ministry of Information and Broadcasting *www.mib.nic.in*.

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†Original notice of the question was received in Hindi.